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List of issues and questions in relation to the combined eighth and ninth periodic reports of Guatemala

Addendum

Responses of Guatemala*

[Date received: 19 June 2017]

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Presentation

1. This report details the progress made by Guatemala and the constraints and obstacles it faces, with a view to addressing and responding to the list of issues and questions sent by the Committee on the Elimination of Discrimination against Women in relation to the country's combined eighth and ninth reports and providing further information in that regard.

Constitutional and legislative framework and harmonization of laws

2. In 2016, endorsed by the heads of the three branches of government and with the support of the Technical Secretariat of the National Dialogue,[1] bill No. 5179 was drafted, in which the adoption of amendments to the Constitution is proposed. The amendments to articles 205 and 208 guarantee representation by recognizing gender equality and the principles of the judiciary through access based on equal opportunities.

3. The amendment to article 205 of the Constitution incorporates professional service, respect for multiculturalism and gender equality, and free legal assistance into all branches of the administration of justice. The crucial independence of magistrates is ensured through selection and appointment based on merit, professional qualities and integrity, and opportunities are open, equal and non-discriminatory.

4. The proposed amendment to article 208 concerning the judiciary relates to impartiality, objectivity, transparency, openness, merit, stability and specialization. Through the merit principle, parity is justified as a mandatory mechanism for women to gain access to the judiciary on the basis of equality.

5. Bill No. 4974 was submitted for adoption as part of the process to amend the Elections and Political Parties Act. The bill introduces the principles of parity and alternation between women and men as substantive elements of the Act and of the operation of political parties and the nomination and representation of candidates. In 2016, Congress decided by a majority to remove the articles related to gender parity at all levels.

6. Through Decree No. 18-2016, amendments were made to Decree No. 40-94, the Organic Act on the Public Prosecution Service (MP), in order to establish and recognize prosecutors' offices responsible for dealing with the following: (a) administrative offences; (b) adolescents in conflict with the criminal law; (c) trafficking in persons; (d) the crime of femicide; and (e) children and adolescents. A national coordination office was established, which will be responsible for collaboration with regional prosecutors in order to improve coordination and the decentralization of functions.

7. Indigenous women's rights institutions and those that work to prevent and eradicate racism on grounds of ethnicity are covered by the mandate of the Presidential Commission on Discrimination and Racism against Indigenous Peoples (CODISRA) and the Office for the Defence of Indigenous Women's Rights (DEMI). The Office for the Defence of Indigenous Women's Rights has a mandate to promote and defend indigenous women's rights and provides legal, social and psychological assistance services. These activities are linked to the components of the national policy for the advancement and comprehensive development of women

[1] This is made up of the Public Prosecution Service, the Office of the Human Rights Advocate, the International Commission against Impunity in Guatemala, the Office of the United Nations High Commissioner for Human Rights and the Office of the Resident Coordinator of the United Nations system in Guatemala.

(PNPDIM) concerned with legal equity, identity in cultural development and the eradication of violence against women. Since 2008, coverage of assistance to indigenous women has been extended to two more departments, with 13 regional offices and a central office providing assistance to indigenous women victims of violence.

8. The Presidential Commission on Discrimination and Racism against Indigenous Peoples focuses on the formulation of policies and training processes to eradicate racism and discrimination and on support for indigenous persons and organizations that face discrimination. It has conducted round tables to analyse the role of the State, as part of the development of bill No. 5247, which seeks to recognize the collective intellectual property of indigenous peoples and, specifically, the copyright of Mayan women weavers. Those activities and the work of the Commission are linked to component 7, racism and discrimination against women; component 8, equity and identity in cultural development; and component 12, cultural identity of Maya, Garífuna and Xinca women, within the national policy for the advancement and comprehensive development of women.

9. With regard to sexual diversity, following on from the thematic hearing on discrimination on grounds of sexual orientation in Guatemala held at the 146th regular session of the Inter-American Commission on Human Rights, the Presidential Commission for Coordinating Executive Policy in the Field of Human Rights (the Presidential Human Rights Commission, COPREDEH) has since 2013 been supporting an inter-agency technical committee, comprising institutions and civil society, to monitor the commitments made by the State under the inter-American system to protect the human rights of the lesbian, gay, bisexual, transgender and intersex (LGBTI) community. In 2017, the following actions will be taken by the inter-agency technical committee on LGBTI matters:

(a) Signing of the inter-agency agreement on technical follow-up of the commitments made by the State of Guatemala under the inter-American and universal human rights systems, and on the coordination of actions with State institutions and civil society organizations regarding capacity-building in the area of prevention, promotion and protection with regard to the human rights of LGBTI persons;

(b) Development of the proposed public policy to guarantee LGBTI persons in Guatemala the enjoyment of their human rights.

Access to justice and legal complaint mechanisms

10. The Act on Femicide and Other Forms of Violence against Women, Decree No. 22-2008, stipulates that the Public Prosecution Service shall create a special prosecutor's office for crimes of violence to the life and person of women. The establishment of the Office of the Prosecutor for the Crime of Femicide, in 2016, is aimed at strengthening the gender-based approach to the investigation, prosecution and punishment of crimes that threaten the lives of women in Guatemala. The Office's actions are bolstered by Public Prosecution Service General Instruction No. 06-2013 on criminal investigations, which contains a working methodology to strengthen and guide the investigation and criminal prosecution of femicide and attempted femicide.

11. The number of complaints from women leading to cases opened by the Public Prosecution Service increased by 135.62 per cent in the period from 2009 to 2016. The number of complaints increased by 38,762, while the number of judgments increased from 82 to 2,703. With regard to the percentage of cases opened and the number of judgments handed down, there was a rise of 30.09 per cent. The number of cases increased from 3,797 to 8,381 and the number of judgments from 82 to

2,703 (annex 1, table 1). There was a 16 per cent increase in acquittals and convictions. The departments with the largest number of complaints are the most populous, such as Guatemala (6,510) and Quetzaltenango (1,488) and departments with a large indigenous population, such as Huehuetenango (1,332) and Sololá (1,078).

12. With regard to prevention mechanisms, in 2012 the Office for the Defence of Indigenous Women's Rights implemented a community-based strategy, with an ethnic and gender perspective, for the prevention of violence against indigenous women and their families, in order to change attitudes towards violence against women at the community level. It advocates the inclusion of indigenous women, their families, the community, indigenous and state authorities and civil society, and promotes prevention, participation and community organization. Since 2010, the manual for litigation in cases of racial, ethnic and gender discrimination has been used for reporting cases of discrimination based on gender and ethnicity to help to prevent any form of discrimination in the exercise of rights. Assistance has been provided in a total of 31 cases of discrimination, guaranteeing the accessibility and availability of comprehensive advice through legal, social and psychological care for indigenous women in all areas of the law. Since its establishment, assistance has been provided to more than 60,000 indigenous women.

13. The Criminal Public Defence Institute (IDPP) has offices in 15 municipalities and coverage in 12 Mayan languages to enable implementation of the institutional policy for technical and legal counselling, with an intercultural, indigenous women's and gender perspective, for access to justice. The Presidential Commission on Discrimination and Racism against Indigenous Peoples, the Office of the Human Rights Advocate (PDH), the Office for the Defence of Indigenous Women's Rights, the National Commission for Monitoring and Supporting the Strengthening of Justice and the Association of Mayan Lawyers of Guatemala coordinated the training of public defenders, with an intercultural approach, at the national level to provide ongoing support for culturally sensitive proceedings. Between 2009 and 2017, 6 indigenous women, 66 indigenous authorities, 73 employees of the Criminal Public Defence Institute and 36 justice workers have been trained. Assistance has been provided in 154 women's cases with an intercultural approach. The departments where most assistance was provided were Huehuetenango (72 cases), Quiché (29), Totonicapán (23) and San Marcos (21), with a majority indigenous population.

Women and peace and security

14. The evaluation of the 20 years of implementation of the peace agreements, the process of reconciliation and transitional justice covers: (1) acknowledgement of the facts and investigation on the part of the State; (2) the institutionalization of reconciliation and compensation; (3) inter-agency coordination and recognition of cases before the inter-American human rights system; and (4) reparation and transitional justice measures in cases of offences of enforced disappearance, crimes against humanity, sexual and domestic slavery, torture and sexual abuse.

15. At the institutional level, the National Reparations Commission and the National Compensation Programme (PNR), with representatives of government and civil society organizations, were established pursuant to Government Order No. 258-2003 and the amendments thereto. Under the National Compensation Programme, the following are recognized as measures for comprehensive reparation for victims: (1) restoration of their dignity through support for exhumations and burials and the promotion of truth and memory; (2) cultural reparation; (3) psychosocial reparation and rehabilitation; (4) financial compensation; and (5) material reparation. In 2013, 60.97 million quetzales was disbursed under the

Programme; in 2014, the figure rose to 171.07 million quetzales; and in 2015 it fell to 90.35 million (annex 1, table 2).

16. The National Institute of Forensic Sciences (INACIF) and the Public Prosecution Service are conducting exhumations in clandestine cemeteries. The Office of the Human Rights Advocate reported that, up to 2011, 50,802 cases had been registered under the National Compensation Programme. The Presidential Human Rights Commission is the body responsible for conducting proceedings in cases brought against the State in the inter-American system for the protection of human rights. During the period from 2004 to 2016, 83 acts for the restoration of dignity were carried out in cases before the Inter-American Commission on Human Rights and 33 in cases before the Inter-American Court of Human Rights.

17. Investigations and convictions began with the establishment of the Office of the Prosecutor for Human Rights of the Public Prosecution Service. Guatemala acceded to the Rome Statute of the International Criminal Court through Congressional Decree No. 3-2012. The Network of Institutions for Peace, comprising the Peace Secretariat (SEPAZ), the Presidential Secretariat for Women (SEPREM), the Presidential Commission on Discrimination and Racism against Indigenous Peoples, the Office for the Defence of Indigenous Women's Rights and the National Council for Compliance with the Peace Accords (CNAP), was formed in 2014, with the support of the United Nations Development Programme.

18. On 10 May 2013, the politician and retired military officer José Efraín Ríos Montt was found guilty of genocide and crimes against humanity committed against the Ixil people and sentenced to 80 years' imprisonment. Ten days later, the Constitutional Court pointed to errors in the trial, overturning the judgment and ordering a retrial. On 19 May 2013, the Constitutional Court annulled the conviction and all proceedings conducted before 19 April 2013, owing to errors of procedure.

19. The judge found the accused unfit to stand trial, given his medical condition and diminished mental faculties, and ordered that he should be represented by his attorney (November 2016). According to the National Institute of Forensic Sciences, his cognitive deterioration was such that his thinking and judgment were impaired and continued to decline due to his age. In her decision of 31 March 2017, the judge ordered a special trial of Efraín Ríos Montt, who has already been declared to be suffering from dementia. The date of public oral arguments has yet to be set; as a security measure, the proceedings will be closed and will be conducted in the presence of defence counsel only.

20. In 2014, the Sepur Zarco case began and in 2016 the former military officers Esteelmer Francisco Reyes Girón and Heriberto Valdez Asij were sentenced to 120 and 240 years' imprisonment respectively in judgment No. C-01076-2012-00021. They were convicted of crimes against humanity in the form of: (a) sexual violence against (1) Rosa Tiul, (2) Candelaria Maas Sacul, (3) María Bá Caal, (4) Manuela Bá, (5) Felisa Cuc, (6) Vicenta Col Pop, (7) Margarita Chuc Choc, (8) Cecilia Caal, (9) Magdalena Pop, (10) Carmen Xol Ical, (11) Demecia Yat and (12) Dominga Coc; (b) the murder of (1) Dominga Coc and/or Dominga Cuc and/or Dominga Choc, and of the girls (2) Anita Seb Coc and/or Anita Coc Seb and (3) Hermelinda Coc and/or Herlinda Coc Seb; and (c) outrages upon personal dignity, in particular humiliating and degrading treatment, perpetrated against the minors (1) Anita Seb Coc and/or Anita Coc Seb and (2) Hermelinda Coc and/or Herlinda Coc Seb. Heriberto Valdez Asij was convicted of: (a) the enforced disappearance of (1) Antonio Sub Coc and/or Antonio Sub Cac, (2) Manuel Cac, (3) Santiago Cac Bá, (4) Pedro Cac Bá, (5) Abelardo Coc, (6) Heriberto Coc Tzi and/or Heriberto Choc and/or Eriberto Choc, and (7) Juan Choc; and (b) crimes against humanity in the form of sexual violence against (1) María Bá Caal and (2) Carmen Xol Ical.

21. Final judgments are still pending in two cases: (1) Creompaz, in which 10 former officers of the Guatemalan army stand accused of enforced disappearance and crimes against humanity (the indictment is based on forensic analysis and DNA testing in 97 cases); and (2) the enforced disappearance of the minor Marco Antonio Molina Theissen, and also the torture and sexual abuse of his sister, Emma Guadalupe. The events occurred in 1981, when members of the army, dressed in civilian clothes, came to their house and took away the minor Marco Antonio. In 2004, the State recognized its responsibility before the Inter-American Commission on Human Rights and undertook to search for the victim and to investigate and punish those responsible for planning and perpetrating the act. The investigation by the Public Prosecution Service has lasted nearly 10 years, with five defendants facing charges for crimes against humanity and enforced disappearance.

22. Specific steps being taken to provide compensation to women who were victims of sexual violence during the internal armed conflict include the endorsement by Guatemala of United Nations Security Council resolution 1325 (2000). In 2016, a national action plan was prepared. The Presidential Secretariat for Women will provide technical and methodological support for its implementation. The Inter-agency Committee on Women and Peace and Security (MIMPAZ) was established, comprising the Ministry of Foreign Affairs (MINEX) and participants from the Ministry of the Interior (MINGOB), the Ministry of Defence, the Peace Secretariat, the Secretariat against Sexual Violence, Exploitation and Trafficking in Persons (SVET), the Presidential Human Rights Commission, the Presidential Commission on Discrimination and Racism against Indigenous Peoples, the Office for the Defence of Indigenous Women's Rights, the judiciary, the Public Prosecution Service, the Office of the Human Rights Advocate, civil society and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women). From 2017, the Presidential Secretariat for Women will assume leadership of the mechanism. Through the community-based strategy, the Office for the Defence of Indigenous Women's Rights enforced compliance with the resolution in three of the departments with the highest rates of sexual violence during the internal armed conflict: Quiché, Baja Verapaz and Alta Verapaz.

23. In 2010, the Plan for Compensation for Damage and Losses Suffered by the Communities Affected by the Construction of the Chixoy Hydroelectric Dam was published. The Public Policy for the Compensation of Communities Affected by the Construction of the Chixoy Hydroelectric Dam was approved through Government Order No. 378-2014, as a result of negotiations held between the Coordinating Office for Communities Affected by the Construction of the Chixoy Hydroelectric Dam and the Government of Guatemala. A report on the identification and verification of damage and losses was endorsed. The Government and other entities involved in the hydroelectric project made a political commitment to adopt compensation measures. The commitments will be implemented and will benefit 33 communities in six municipalities in the departments of Alta Verapaz, Baja Verapaz and Quiché. The total amount of compensation will be 200 million quetzales to compensate 3,329 families.

24. The remaining challenges of the peace agreements include the adoption of bill No. 3590, which proposes the establishment of a national commission to search for disappeared persons, ratification of the Convention on Enforced Disappearance and a response to the appeal by the Inter-American Commission on Human Rights to reform the *Amparo*, Habeas Corpus and Constitutionality Act, Decree No. 1-86. The National Compensation Programme must be founded on legal and budgetary certainty and an information system and national registry of victims must be established. The families of victims must receive legal advice in the courts, and

mechanisms to provide care to victims of violence and rape must be implemented and strengthened.

National machinery for the advancement of women

25. Pursuant to Government Order No. 200-2000, the Presidential Secretariat for Women advises on and coordinates public policy aimed at promoting the comprehensive development of Guatemalan women and fostering a democratic culture. The Institutional Strategic Plan 2018-2022 identified technical assistance to be provided to public institutions in line with (a) policy management throughout the country; (b) the legal status of women; and (c) information management for public policy analysis. In November 2016, the Special Cabinet for Women (GEM), the Women's Commission in the National Urban and Rural Development Council (CONADUR), the National Coordination Office for the Prevention of Domestic Violence and Violence against Women (CONAPREVI), the Presidential Secretariat's advisory board and the Inter-agency Committee on Budgeting for Gender Equity were reactivated.

26. Resolution No. 05-2016 of the National Urban and Rural Development Council established the Commission on Alignment, Follow-up and Evaluation of the National Development Plan, K'atun: Our Guatemala 2032, to follow up on the 2030 Agenda for Sustainable Development and other international commitments relating to women and indigenous peoples. With regard to Sustainable Development Goal 5 on achieving gender equality and empowering women and girls, all targets and indicators were prioritized, with the exception of target 5.6 and indicators 5.6.1 and 5.6.2, which will instead be measured through goal 3.7. Moreover, indicators 3.7.1 and 3.7.2 will be strengthened. In addition, the Presidential Secretariat for Women has incorporated an intersectional approach to rights into institutional processes and has identified how to manage strategic agendas in order to meet the needs of women living with HIV, LGBTI groups, elderly women, migrant women and women with disabilities.

27. The Special Cabinet for Women was established and modified pursuant to Government Orders Nos. 264-2012 and 259-2013, with a view to making the Cabinet a forum for inter-agency coordination for decision-making on processes related to equity between men and women. It has been restructured around two management areas, namely, strategic policy and technical policy. In addition, a Cabinet operational strategy has been articulated in order to formulate and follow up on a substantive agenda.

28. Government Order No. 260-2013 stipulated the establishment of gender units within ministries and departments of the executive branch. Each entity is required to set up a gender unit within its organizational structure, attached to its head office. The unit acts as a coordinating body and technical liaison to the Special Cabinet for Women. As at 2016, 32 units have been established. In order to strengthen the thematic classification criteria, the Inter-agency Committee on Budgeting for Gender Equity was formed, comprising the Ministry of Finance (MINFIN), the President's Planning and Programming Secretariat (SEGEPLAN) and the Presidential Secretariat for Women, with the support of the Association for the Defence of Women's Rights in Guatemala.

29. The strategy of territorial implementation of the national policy for the advancement and comprehensive development of women entails strengthening the presence of the Presidential Secretariat for Women in different areas of the country. The work done through municipal women's offices has intensified, as has the transfer of capacities in order to link priority actions taken by local governments using the budget classifier on gender.

30. From 2009 to 2017, the working budget of the Presidential Secretariat for Women has grown regularly and in a sustainable manner. It receives between 0.04 and 0.05 per cent of the national budget. The Presidential Secretariat and the Office for the Defence of Indigenous Women's Rights together account for 0.06 to 0.07 per cent of the national budget. 2017 will be the final year in which funding for the National Coordination Office for the Prevention of Domestic Violence and Violence against Women will be included in the Presidential Secretariat's budget. For the next budget cycle, the budget of the National Coordination Office will be included in that of the Ministry of the Interior, as part of the Office of the Third Deputy Minister for the Prevention of Violence and Crime. An increase of 5.81 million quetzales has been recorded. Institution-building is also important in relation to sources of financing. In 2013, funds from partner agencies in Spain and Sweden were allocated for this purpose (annex 1, tables 3 and 4).

31. With regard to approving the establishment of the Ministry for Women, bill No. 4977, introduced on 23 July 2015, contains the proposed amendments to Decree No. 114-97, the Act on the Executive Branch. On 27 June 2016, the Congressional Committee on Women issued a favourable opinion on the bill, requesting that it should be adopted by Congress. As at 2017, it has not been presented in plenary session.

32. The Consultative Council is one of the mechanisms for coordination between the Office for the Defence of Indigenous Women's Rights and the Presidential Secretariat for Women. It is composed of the ministries of state and institutions or offices that are responsible for implementing public policies that foster equity between men and women or that have action plans for women. Both institutions are involved in the work of the National Coordination Office for the Prevention of Domestic Violence and Violence against Women and Bureau 8J, which is coordinated by the Department for Coordination with Indigenous Peoples and Civil Society of the National Council on Protected Areas, and the work of the National Commission for the Availability of Contraceptives (CNAA) established pursuant to the Act on Universal and Equitable Access to Family Planning Services (Decree No. 87-2005).

Temporary special measures

33. The Presidential Secretariat for Women has identified the need to establish a national system for equity between men and women. It will be composed of two areas of management: (1) policy management: to achieve synergies and monitor the mechanisms aimed at promoting the comprehensive development of women, ensuring their enjoyment of human rights and fostering equity between men and women; and (2) technical management: to manage and monitor the regulatory and public policy framework aimed at promoting the comprehensive development of women, ensuring their human rights and fostering equity between men and women.

34. The system will incorporate coordination, political governance and institutional technical mechanisms to follow up on public policies aimed at promoting equity between men and women. It will be the lead agency in charge of directing policies aimed at mainstreaming gender equity in all aspects of development.

Stereotypes

35. A media campaign entitled "Menos victimización, Más empoderamiento" (Less victimization, more empowerment) was launched. Its aim was to provide women with information on participation, prevention and women's rights, eliminate attitudes of victimization, strengthen empowerment discourse and disseminate

guides to support available for women. The campaign consists of a number of media advocacy measures to raise awareness with a view to empowering women and to enlist the active participation of men and women at the municipal, departmental and national levels.

Gender-based violence against women

36. Among the country's prevention mechanisms, the National Coordination Office for the Prevention of Domestic Violence and Violence against Women was reactivated in 2016. Following restructuring, it has been incorporated into the Office of the Deputy Minister for the Prevention of Violence and Crime within the Ministry of the Interior.

37. In 2017, work began on the design of a survey on violence against women. It will be used to formulate policies on prevention and care, including for women who have a disability that resulted from violence. Its implementation will require joint efforts from the National Statistical Institute (INE) and the Presidential Secretariat for Women.

38. Pursuant to Decree No. 21-2016, the Organic Act on the Institute for the Provision of Assistance and Care to Crime Victims was adopted. In conjunction with the National Coordination Office for the Prevention of Domestic Violence and Violence against Women, the Institute will guarantee specialized comprehensive care for women through the comprehensive support centres for women survivors of violence (CAIMUS). It will also coordinate with entities and institutions specializing in the provision of comprehensive care for victims whose vulnerability can be attributed to their age, gender identity, sex, physical or mental state, or social, economic, ethnic and/or cultural circumstances. The aim is to promote justice and respect for women and their dignity, privacy and identity, and also protection throughout criminal proceedings, while preserving their life, physical integrity and psychological stability. Care must be provided by professionals of the same sex, and victims must have the right not to undergo any physical examination without their explicit consent, the right not to be discriminated against as a result of stereotypes, prejudices and/or social stigmas, the right not to be revictimized and the right to receive care and assistance in their mother tongue.

39. In 2016, the Ministry of the Interior concluded an agreement with the Guatemalan Women's Group (GGM) providing for the allocation of 9.5 million quetzales to continue supporting the operation of the comprehensive support centres. In 2017, the allocated amount was increased to 20.5 million quetzales to support the expansion of the centres operating in five departments of the country. In 2016, 2,475 women were seen in initial consultations, and 8,910 women received follow-up care. As at May 2017, 411 women have been seen in initial consultations, and 1,960 women have received follow-up care.

40. Through the Programme for the Prevention and Eradication of Domestic Violence (PROPEVI), the Presidential Secretariat for Women has aimed to raise awareness of, provide information on and address issues relating to the prevention of domestic violence in order to foster and ensure a climate of peace and reduce violence. In 2016, the Programme served 2,697 people (1,795 women and 902 men) by providing comprehensive guidance and counselling, which included social, psychological and legal counsel, to victims of domestic violence, using individual, couples, family and self-help group therapeutic modalities and the 1515 family helpline. It also helped raise the awareness of 27,188 people (13,177 female students and 14,011 male students) in the national education system in five municipalities through workshops that addressed the prevention of domestic violence and violence against women. Furthermore, 1,689 people (1,123 women and

566 men), including public officials and members of the general public, were sensitized on this topic.

41. The Programme's care and service functions require a comprehensive institutional approach in keeping with its objectives. It should therefore be attached to a department that takes front-line actions to meet the population's needs and demands with regard to domestic violence. It has been suggested that the Office of the Third Deputy Minister of the Ministry of the Interior, which is in charge of preventing violence and crime through the Unit for Community-based Prevention of Violence (UPCV), would be the ideal entity for that purpose, given its legal, technical and political framework.

42. With regard to justice mechanisms, in November 2014 the Public Prosecution Service implemented the comprehensive care protocol for victims of crime through the offices of victim services in order to strengthen and expand the institutional capacities of internal communication and coordination with the judiciary and the National Civil Police. The Public Prosecution Service used the comprehensive care model in prosecutors' offices. The model specifies the order of the steps involved in providing crime victims with comprehensive care. Comprehensive, pluralistic and multicultural care places particular emphasis on care differentiated by age, sex, disability, ethnic identity and migration status. The Public Prosecution Service has 67 interpreters for 20 different Mayan languages.

43. Cases involving female victims that are brought to the attention of the district and municipal prosecutors' offices must be transferred to the Office of the Prosecutor for the Crime of Femicide. All prosecution teams have the duty to implement the procedures set out in the Latin American Model Protocol for the investigation of gender-related killings of women.

44. Prosecutors have the responsibility and obligation to maintain direct contact with victims and keep them informed of the progress of the investigation at all times. Once it has been determined that the violent death of one or more girls, adolescents or adult women has been caused by members of organized criminal groups or criminal organizations and/or gangs, the case must be transferred from the technical committee to the Office of the Prosecutor for the Crime of Femicide. Victim-focused, comprehensive care must be provided to crime victims, based on the victims' needs. The victim care unit team assists prosecutors by providing care to direct, indirect and collateral victims and producing reports, studies or opinions that support suitable and transformative remedies.

45. Criminal violence against women decreased between 2009 and 2016, with a 22.84 per cent annual decline in the number of killings and a 12.34 per cent reduction in the number of gunshot wounds. In percentage terms, the number of killings caused by firearms decreased by 2 per cent compared to 2009, while the proportion of cases in which autopsies were conducted after deaths caused by firearms fell from 90 per cent to 68 per cent (annex 1, table 5).

46. With regard to special measures taken to prevent and eliminate violence against, and ill-treatment, abuse and abandonment of, persons with disabilities, the National Council for Persons with Disabilities (CONADI) is, pursuant to Government Order No. 78-2009, the State body responsible for ensuring the implementation of the Convention on the Rights of Persons with Disabilities and drafting periodic reports to the United Nations. On the basis of the initial assessment in 2016 of the implementation of the Convention by Guatemala, a national plan of action was formulated. The plan outlines the strategies that State institutions must apply in order to uphold the rights of persons with disabilities. The Presidential Secretariat for Women has developed a strategic agenda for women

with disabilities, based on the guidelines set forth in the national plan of action. The contents are informed by an intersectional approach to rights.

47. The strategy of action against exploitation, violence and abuse recognizes that, while services and care are regularly provided to citizens through systems for the administration of justice, there are currently no systems with the specific purpose of preventing violence against women and children with disabilities or of protecting those groups from violence. The aim is to establish channels that facilitate care and reporting, and also an investigation mechanism for the purpose of prevention and to protect persons with disabilities from the exploitation and forms of sexual violence and abuse inflicted on women and children.

48. With regard to forced sterilization, the Social Development Act provides that reproductive health is a basic principle and should be promoted by the State. Despite the absence of a registry or consolidated statistics, it is clear that persons with disabilities are the principal victims of violations of these liberties, particularly in the form of forced sterilization and abortions. Contributing to the elimination of reproductive health practices that violate the rights and freedoms of persons with disabilities is a priority identified in the action strategy. The proposal calls for coordination with the Ministry of Public Health and Social Welfare (MSPAS) on education and outreach programmes relating to reproductive health care and care of persons with disabilities, and the development of education and outreach programmes on reproductive health rights with the gender units of public institutions and municipalities.

49. Bill No. 5125 is currently awaiting its third reading in Congress prior to adoption. The bill calls for the adoption of the Act on Persons with Disabilities and provides for the establishment of the Presidential Secretariat on Disability Issues as an entity that would be responsible for coordinating, advocating and formulating public policy on persons with disabilities. It stipulates that 3 per cent of the budget of the Ministry of Public Health and Social Welfare should be used to provide technical assistance to persons with disabilities.

Trafficking, sexual exploitation and sexual violence

50. With the support of the embassies of the United States of America and France, the Protocol of the Inspectorate General for Labour of the Ministry of Labour (MINTRAB) was launched in 2013 as a specialized instrument that establishes how to detect and identify victims of trafficking in the workplace. In addition, the Regional Coalition against Trafficking in Persons and the Smuggling of Migrants was formed, comprising Guatemala, El Salvador, Honduras, Nicaragua, Costa Rica, Panama, Mexico, the Dominican Republic and Belize. In August 2016, the State joined the Blue Heart Campaign against Human Trafficking promoted by the United Nations Office on Drugs and Crime. The campaign will include awareness-raising workshops for prosecutors in the Public Prosecution Service, officers of the National Civil Police (PNC) and the general public, with the aim of combating human trafficking. With the support of the United Nations Population Fund, the establishment of medical clinics, beauty salons, computer centres and dressmaking centres in temporary shelters was authorized for the benefit of alleged trafficking victims.

51. During the year 2013, the Secretariat against Sexual Violence, Exploitation and Trafficking in Persons monitored and followed up cases of alleged victims of human trafficking, both foreign nationals and Guatemalan nationals, identified and rescued in Guatemala. Non-material reparation measures include restitution, the aim of which is to restore the victim to his or her condition prior to the violation of his or her rights. In fulfilment of the Secretariat's legal mandate, temporary shelters for

specialized care for victims of sexual violence, exploitation and trafficking in persons in Guatemala (Guatemala), Cobán (Alta Verapaz) and Coatepeque (Quetzaltenango) were established and institutionally strengthened. According to data disaggregated by gender and place of origin within or outside Guatemala, 114 men and 760 women, 36 of them foreign nationals, received care in specialized temporary shelters between 2014 and 2017. The largest numbers are in the departments of Guatemala (176), Alta Verapaz (124) and Quetzaltenango (76). In terms of ethnic background, non-indigenous people (576) outnumber indigenous people (298).

52. In the shelters, victims are provided with medical care, education and nutrition. In addition, victims of sexual violence, exploitation and trafficking in persons receive psychosocial support. They are given support at hearings and in judicial proceedings as part of the overall package of protection measures. These actions provide victims of sexual violence with support and guidance in formulating their life plans as part of their reintegration into society. In order to provide them with financial support, women victims of sexual violence (specifically girls and pregnant adolescents or adolescent mothers) are integrated into the "Bono Seguro para la Salud" (Safety Bonus for Health) social programme, in coordination with the Ministry of Social Development (see para. 79).

53. With the support of the Academy of Mayan Languages, the Secretariat against Sexual Violence, Exploitation and Trafficking in Persons has arranged for the Act on Sexual Violence, Exploitation and Trafficking in Persons to be translated into 17 Mayan languages, thereby ensuring a multicultural and pluricultural approach. It took a culturally sensitive approach to the development of the National Information and Awareness-Raising Programme and the Comprehensive Care Protocol for Child and Adolescent Victims of Crimes of Sexual Violence, Exploitation and Trafficking in Persons.

54. Pursuant to Decree No. 28-2010, the Alba-Keneth Alert System, an early warning system, was established. Its purpose is to effectively and promptly locate stolen or missing children and adolescents and rescue them immediately in order to protect them from abduction, trafficking, sale or any other danger. The System was amended by Decree No. 5-2012, which established the National Coordination Office for the Alba-Keneth Alert System comprising the Office of the Counsel General (PGN), the National Civil Police, the Directorate-General of Migration, the Media Secretariat of the Office of the President and the Public Prosecution Service. Pursuant to the amendment, the Ministry of Foreign Affairs and the Secretariat against Sexual Violence, Exploitation and Trafficking in Persons were included in the System, and an operational unit was set up within the Office of the Counsel General with responsibility for planning and following up search, location, rescue and monitoring activities. The unit will also develop an information registry that will facilitate reporting of, information on, monitoring of and research on cases.

55. The Supreme Court of Justice (CSJ) adopted an institutional policy on the special protection of children and adolescents in 2015. Examples of progress made include the development of a computer system for the courts, in which 1,471 case files of offences involving rape and sexual assault were registered in 2014, 2,966 in 2015 and 4,250 in 2016. Through bill No. 5178, a provision to endorse the national registry of sex offenders and a genetic data bank was introduced.

56. For the investigation and criminal prosecution of the offence of trafficking in persons by the Public Prosecution Service, a specialized unit was established within the Office of the Prosecutor for Organized Crime in 2007. In 2012, regulations for the organization and functions of the Office of the Prosecutor for the Crime of Trafficking in Persons were agreed upon, establishing four units and regional

agencies responsible for: (1) addressing the sale of persons and illegal adoptions; (2) combating sexual exploitation; (3) combating exploitative labour practices and other forms of trafficking in persons; and (4) providing comprehensive care.

57. The Protocol for Action to Care for Victims of Trafficking, adopted by the Public Prosecution Service in 2015, lays down procedures to be followed in providing care, protection, referral and comprehensive restoration of the rights of persons who have been victims of trafficking. A manual for the care and referral of crime victims to referral networks was also produced. The aim of the manual is to complement the comprehensive care given in the initial consultation provided by the Public Prosecution Service and to provide a basis for referral and follow-up of crime victims by the organizations and institutions that make up the referral networks.

Participation in political and public life

58. There are a number of factors that inherently limit women's political participation: the political culture, harassment and violence, the structure of political parties, the legislative framework and electability. The main challenges faced by women include ensuring the right to parity, the alternation of men and women on lists of candidates, and the representation of women in all their diversity, taking into account the intersectionality of rights. Although the number of women on the electoral roll increased by 53 per cent between 1999 and 2015, the number holding elected office shows that little progress has been made in the nomination and election of female representatives. Women represented 15 per cent of candidates in the 2011 election and the number increased by only 2 per cent at the following election. Women accounted for only 8 per cent and 10 per cent of candidates elected at those two elections respectively (annex 1, table 6).

59. The most significant advances in parity of representation have been made in the judiciary. Women account for 41 per cent (182) of persons appointed as justices of the peace, 46 per cent (147) of judges of courts of first instance, 38 per cent (191) of trial court judges and 39 per cent (123) of chamber judges. Lastly, women account for 54 per cent (456) of judges and magistrates in the courts. There has been a slight increase in the number of women serving in the executive branch as ministers or deputy ministers. Six women were appointed to such posts in the period 2016-2020, which increased the representation of women to 20 per cent from 14 per cent in 2012. In the Foreign Service of the Ministry of Foreign Affairs, there are 258 diplomatic posts, 132 of which (51 per cent) are held by men and 126 (49 per cent) by women.

60. Congress did not adopt the system of quotas under bill No. 4974. Representatives of civil society organizations submitted a new proposal for amendments to the electoral law, which the President submitted as a fourth-generation amendment bill. The draft being considered by the Congressional Committee on Elections once again proposes quotas for candidate representation in electoral constituencies, on national lists and in the Central American Parliament; under these quotas, men and women must each account for at least 30 per cent of candidates and under no circumstances may two persons of the same sex appear consecutively on candidate lists.

61. The measures adopted to increase electoral participation are the responsibility of the Supreme Electoral Tribunal, which produced the Institutional Strategic Plan 2014-2020. The Plan sets out a policy of taking action to promote increased representation and civic participation of Maya, Garífuna, Xinca and mestiza women in electoral and political processes. Pursuant to Decision No. 154-2010, the Supreme Electoral Tribunal authorized implementation of the project entitled

"Promoting increased participation by women in the exercise of citizenship" and follow-up to the Women's Multiplier Network, which works to provide better training and skills development for women leaders on political and citizenship issues. Since 2013, workshops have been held around the country to train approximately 500 women leaders at the departmental and municipal levels on civic rights and electoral participation. In 2015, pursuant to Decision No. 113-2015, the Supreme Electoral Tribunal for the first time established penalties for the use of sexist stereotypes in election propaganda, setting a precedent with regard to acts of political violence against women.

62. As part of measures to protect women human rights defenders and journalists, a process was launched to develop a public policy for the protection of human rights defenders, with the support of three State agencies: the Public Prosecution Service, the Office of the Counsel General and the Office of the Human Rights Advocate. With regard to legal measures, article 30 of Decree No. 40-94 establishes the Office of the Prosecutor for Human Rights, which will prosecute and punish human rights violations committed against persons living in Guatemala. The Office is organized into a number of prosecution units, including the Prosecution Unit for Offences against Activists, the Prosecution Unit for Offences against Journalists, the Prosecution Unit for Offences against Trade Unionists and the Prosecution Unit for Offences against Justice Officials. From January to December 2016/May 2017, the Prosecution Unit for Offences against Human Rights Activists registered 199 complaints, of which 79 were from women and 120 from men. The Prosecution Unit for Offences against Journalists registered 134 complaints, of which 19 were from women and 115 from men.

63. The steps taken by the Division for the Protection of Persons and Security include personal security measures for public officials, persons under protective measures, persons under threat and protected witnesses. In 2016, six journalists (five men and one woman) and three human rights defenders (one man and two women) were subject to these personal security measures.

Education

64. A programme known as the road map for caring for pregnant girls and adolescents, involving coordination between the Secretariat against Sexual Violence, Exploitation and Trafficking in Persons, the Ministry of Social Development, the Ministry of Public Education and the Ministry of Public Health and Social Welfare, has been in place since 2012, along with a programme of improved care for pregnant girls aged under 14, which also involves the Office of the Counsel General, the Public Prosecution Service and the National Registry of Persons. The main objective is that education centres should offer girls and adolescents education options in the school system or the informal education system so that they can continue their studies. This means adapting the curriculum so that they can move up to the next grade or admitting them to institutions that offer them alternative arrangements to make it easier for them to return to studying after giving birth.

65. As a mechanism for access to bilingual education (Spanish/Mayan language), support has been provided for the implementation of the programme of care for indigenous girls and girls living in rural areas and for the launch of the second phase of the project "Vivamos la igualdad en educación" (Let's see equality in education), of "Todos somos Ajmaq" (We are all Ajmaq), and of the workbooks "Si Aprendemos Conjuntamente Tendremos Mejor Vida" (If we learn together we will have a better life) and "Conocemos y Practicamos en Familia los Derechos de las Niñas" (We know girls' rights and put them into practice in the family). Measures implemented with regard to comprehensive education on sexuality include the

design, approval and distribution of teaching guides and workbooks for parents on girls' rights, and teaching guides in four Mayan languages on girls' leadership, the rights of migrants and the rights of girls and boys in practice within the family.

Employment

66. The Ministry of Labour has issued ministerial decisions setting out procedures for guaranteeing the protection of women: (a) Decision No. 111-2013 on instructions for dealing with cases where there is a report or knowledge of a closure or imminent liquidation of a company or workplace where the appropriate employment benefits have not been paid; (b) Decision No. 160-2013 on instructions for convening the rapid reaction team in possible cases of closure of a company that benefits from the law promoting the maquila industry; and Decision No. 161-2013 on instructions for annual inspections.

67. The Coordinating Office for the Maquila Industry was set up in 2003 to coordinate preventive action through the dissemination of information about labour rights to workers of both sexes and senior and middle managers in the maquila industry, with the aim of reducing the number of complaints of violations of labour rights. The Guatemalan Social Security Institute, the Office of the Human Rights Advocate, the Office for the Defence of Indigenous Women, women's organizations and the Garment and Textiles Committee of the Guatemala Exporters Association are all represented. Between 2009 and 2016, the Coordinating Office handled 8,104 complaints lodged by female workers.

68. With regard to steps to protect women from abusive practices and ratify International Labour Organization (ILO) Convention No. 189 concerning decent work for domestic workers, both workers and employers, at a meeting of the Tripartite Commission on International Labour Affairs established under ILO Convention No. 144 concerning tripartite consultations to promote the implementation of international labour standards, agreed that it was necessary to regulate domestic work, since it was considered one of the worst forms of child labour. Through the Ministry of Foreign Affairs, the Government expressed its approval and referred the matter to Congress. The Committee on Work issued a favourable opinion on bill No. 4981. In 2016, the bill was awaiting its third reading prior to adoption. In the period 2009-2016, 1,919 cases were processed involving women domestic workers who lodged complaints regarding the *aguinaldo* (an extra month's salary paid at the end of the year), annual bonuses in the private and public sectors, incentive bonuses, the Guatemalan Social Security Institute and the payment of benefits on termination of employment. In the agricultural sector, similar complaints lodged by 135 women were processed.

69. With regard to strategies for eradicating the worst forms of child labour among girls, during 2016 the Ministry of Labour, in coordination with the Executive Secretariat of the National Commission for the Eradication of Child Labour, reviewed the road map for the eradication of the worst forms of child labour 2016-2020 in a participatory manner. As part of the review process, account was taken of operational programming and coordination among the agencies represented in the Commission. These are the Secretariat against Sexual Violence, Exploitation and Trafficking in Persons, the Social Welfare Secretariat, the judiciary, the National Civil Police, the Office of the Human Rights Advocate, and also the Inspectorate General for Labour and the Adolescent Workers Protection Unit within the Ministry of Labour. In addition, work is under way in coordination with the Food and Agriculture Organization of the United Nations (FAO) in Huehuetenango, where 272 cases of children and adolescents engaged in the worst forms of child labour have been identified.

70. Through the Inspectorate General for Labour, the annual programme of selective and regionally distributed inspections in 2016 included five specific plans developed to put into effect the implementing regulations for ILO Convention No. 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour. Under the programme, 6,072 visits were carried out, through which 97 children and adolescents engaged in the worst forms of child labour were identified. During the period 2009-2015, 447 cases were identified, 90 of which involved girls under the age of 13 and adolescent girls aged between 14 and 17.

71. The National Employment Service has taken measures to promote employment and income-generating opportunities for indigenous women, rural women and women living in poverty, including the provision of guidance through employment workshops for vocational development, which give these women tools for effective integration into the labour market. Job placement services are on offer, where employment supply and demand are linked through the territorial implementation strategy with one-stop employment windows. In addition, the Ministry of Labour is leading the strategy for the implementation of "gender equity seals", with the aim of reducing existing inequalities, and is advocating the appointment of more women to leadership positions and middle and senior management positions in the public and private sectors, on the basis of comprehensive standards and the promotion of gender equity.

Health

72. Under the Zero Hunger Pact, 166 municipalities have been identified as priority areas on the basis of data on the prevalence of chronic undernourishment. Of all the municipalities in the country, those with an undernourishment rate higher than 42.8 per cent were selected. Group 1 consisted of 33 municipalities (undernourishment rates higher than 70 per cent); group 2 consisted of 50 municipalities (undernourishment rates higher than 60 per cent but lower than 70 per cent); and group 3 consisted of 83 municipalities (42.9 per cent to 60 per cent). Chronic undernourishment is more prevalent among the rural population and the rate is higher among girls in rural areas than among those in urban areas (from 50.6 per cent to 62.4 per cent). The overall rate of anaemia among girls aged 6 months to 59 months is 33.6 per cent. The rate of overweight or obesity among non-pregnant women aged 15 to 49 years is 45.2 per cent. Furthermore, 15.6 per cent of women of childbearing age (15 to 49 years) are anaemic (annex 1, table 7).

73. In the priority municipalities, 40.3 per cent of women giving birth are at risk of obstetric complications associated with short stature (under 145 cm tall). The risk is much higher among women of childbearing age in rural areas. The implication of this is that girls who were of short stature in 2008 are now adolescents who, in addition to being of short stature, are now at risk of pregnancy at a young age. In the 83 municipalities where the rate of chronic undernourishment is relatively low, the current proportion of adolescents who are of short stature such as to present an obstetric risk is 33.4 per cent, which is higher than the national average according to the 2008 National Survey of Maternal and Child Health.

74. The incidence of anaemia among children aged 6 to 11 months is 71 per cent and falls gradually with age, which suggests that good antenatal care practices and good obstetric practices should be strengthened. A total of 40.3 per cent of women aged 15 to 49 are shorter than 145.0 cm, the height considered a high obstetric risk and also a risk factor for low birth weight. The risk is higher among women in rural areas (42.5 per cent) than among those in urban areas (32.7 per cent).

75. In order to implement the national policy on midwives of the four peoples of Guatemala for 2015-2025, the Ministry of Public Health and Social Welfare has designed and updated culturally sensitive communication strategies concerning the practices implemented through a plan to raise awareness of the work of grandmother midwives. Intercultural dialogue and the exchange of health-related experience and practices are centred on a proposed method of improving and strengthening the relationship between midwives and health service staff. In order to ensure respect between midwives and health-care providers, all health service staff have been asked to ensure that midwives are integrated into health services. There are also links for the exchange of knowledge from the perspective of the Maya, Garífuna, Xinca and mestizo peoples.

76. An inter-agency technical committee has prepared a list of supplies and basic equipment for the provision of care for home births in conjunction with midwives' organizations, along with a proposal to issue identity cards in order to facilitate identification and the work carried out with the community and medical services. With a view to the gradual introduction of care provision in the language of each linguistic community, a technical cooperation agreement is being negotiated with the Academy of Mayan Languages for the review and translation of teaching and communication material, technical support in the translation of key messages and the provision of instruction in a Mayan language to health service staff.

77. With regard to sexual violence, forced pregnancy and forced motherhood among girls and adolescents, a draft public policy has been prepared on appropriate and transformative reparations in cases of sexual violence, forced pregnancy and forced motherhood among girls and adolescents, together with a plan of action for 2016-2026. It is currently being reviewed and adapted by the Presidential Secretariat for Women through the National Coordination Office for the Prevention of Domestic Violence and Violence against Women.

78. With regard to measures aimed at preventing and reducing adolescent pregnancy, the Ministry of Public Health and Social Welfare is taking action on regulations, operations, management and planning, in line with the National Plan to Prevent Pregnancies in Adolescents and Young Women in Guatemala and the National Youth Policy. The Ministry of Public Health and Social Welfare has regulations for comprehensive and differentiated care, including a basic care package that gives effect to the right to health. This covers promotion and prevention measures and demand-driven care, through which 3 million consultations are provided to adolescents. In addition, through the strategy of providing "friendly spaces" for adolescents and young people, 532 such spaces have been established, serving 35,141 adolescents (51 per cent female and 49 per cent male).

79. With regard to measures taken to deliver reparations to women victims of sexual violence, since 2011 comprehensive and specialized care has been provided at 42 clinics located in 38 hospitals in the national hospital network. Under the protocol for the care of victims, the measures taken will depend on how stable the victim's condition is.

80. As part of the road map for caring for pregnant girls and adolescents, the Ministry of Social Development provides allowances under the "Bono Seguro" programme for girls and adolescents aged 14 years or under who are victims of sexual violence, who are pregnant or are mothers and whose cases have already been brought before the courts. The allowance is a conditional cash transfer to a value of 300 quetzales delivered periodically in order to facilitate access to health services. A girl or adolescent is eligible for the allowance if: (a) she is a Guatemalan national by birth or naturalization who is pregnant or is a mother and has been a victim of sexual violence at the age of 14 or younger; (b) a complaint has been

lodged before the courts; (c) she has a legal representative; and (d) she is not married or living with a partner.

81. The code of ethics of the College of Physicians and Surgeons of Guatemala contains no specific guidelines on the medical practice of therapeutic abortion. If therapeutic abortions take place in individual hospitals, they must fulfil certain requirements on which there is medical consensus and they must be subject to ethical and professional criteria so as to comply with chapter III, article 137, of the Criminal Code. When abortions are carried out at tertiary health-care facilities, the aim is to ensure that patients are given prompt and appropriate care so as to avert deaths from the causes that affect mothers of childbearing age. Between 2010 and 2017 there were 2,331 medical abortions. Induced abortion is an offence under the Criminal Code.

Rural women

82. With regard to specific measures aimed at promoting the empowerment of women, the Ministry of Agriculture, Livestock and Food launched a process of institutionalizing gender equality following the adoption of the Institutional Policy for Gender Equality and the 2014-2023 strategic framework for implementation, which address: (a) the need to boost the leadership capabilities of rural women and their participation in decision-making at the social, community and political levels by promoting good practices for empowerment and gender equality; (b) the need to build the productive, commercial and entrepreneurial capacities of rural women through equitable access, provided by the Ministry of Agriculture, Livestock and Food, to resources, incentives, technical assistance and supplies. With regard to other measures to promote the economic empowerment of rural women and their access to land and credit, a proposal was submitted under Resolution No. 99-2016 to facilitate land access for rural women and also Maya, Xinca, Garífuna and mestiza women.

83. The Ministry of Agriculture, Livestock and Food has supported projects exclusively for women through grants that do not have to be repaid. These are intended for financial capacity-building through the participation of rural women, the provision of inputs to improve women's agricultural and livestock production, and support for the acquisition of equipment and supplies for value-chain processes. Between 2009 and 2014 a sum of 11.32 million quetzales was disbursed to 21 women's organizations, benefiting an estimated total of 7,504 women. In 2015, owing to a change of status to cooperative organizations, access to resources for women's organizations and associations became more difficult; the amount disbursed therefore fell to 1.65 million quetzales with a total of 363 beneficiaries. For 2017, a disbursement of 2.79 million quetzales is planned, with an estimated 275 women expected to benefit.

Disadvantaged groups of women

84. With regard to consular services, the Ministry of Foreign Affairs provides migrant women with consular documentation, assistance, support and protection. With regard to services provided to women abroad, 762,666 women received support during the period 2015-2017. In addition, campaigns are conducted to inform them of their rights in order to empower them, and they are provided with legal advice if they wish to apply for regularization of their migration status.

85. With regard to temporary migrant workers who have an employment contract and work permit, consular missions are responsible for verifying the fulfilment of contractual conditions, checking that housing conditions meet established standards, ensuring that such workers are treated fairly and without discrimination, facilitating

the provision of legal advice and providing assistance in cases of emergency. With regard to measures taken to promote the reintegration into society of deported migrant women, the Ministry of Foreign Affairs is coordinating efforts with government entities, the private sector and civil society to contribute to a national approach to social and labour market inclusion through the "Guate te incluye" (Guatemala includes you) programme.

Marriage and family relations

86. Decision No. 42-2010 of the Board of Directors of the National Registry of Persons (RENAP) governing the procedure for the registration of marriages in the civil registry system of the National Registry establishes that a marriage between minors must be duly certified, that it requires the consent of the parents, and that birth certificates, the parents' personal identity documents and a detailed notarial certificate stating that the parents were present and gave their consent must be presented. Registrars will accept, as proof of consent, documents issued by a notary or by a minister of religion verifying that the parents gave their consent. The marriage certificate must be submitted within 30 days to the Civil Registry in the municipal district where it was issued. However, this deadline is not observed and late submissions are subject only to a fine, irrespective of the length of the delay. This means that marriages predating the reform are registered.

87. An amendment to the Civil Code establishes exceptions when minors are involved. Under the amendment, there must be well-founded reasons for authorizing this type of marriage; for that reason, the Supreme Court of Justice issued Decision No. 12-2016 governing the relevant courts and procedures.[2] However, in the year following the amendment's entry into force, only 103 rulings authorizing such marriages were issued, out of a total of 1,115 that took place.

88. A request for exceptional authorization of a marriage between minors aged at least 16 must be submitted to the competent court, which will decide at a single hearing whether to authorize the marriage. However, this requirement has not been applied and there is therefore a discrepancy between the number of marriages verified by a notary or minister of religion and the number of authorizations issued by the courts. In addition, the discretion afforded to notaries with regard to the documents for which they are responsible makes it difficult to verify precisely the date on which a marriage took place and the ages of the bride and groom. The General Document Archive is the institution that is required to keep a copy of notarized instruments, but failure to submit special documents is subject to a fine of only 25 quetzales per document. It is therefore important to eliminate the exception within the Civil Code allowing marriage between minors. The Congressional Committee on Legislation and Constitutional Matters has issued a favourable opinion on bill No. 5216. This proposes that articles 82 and 83 of the Civil Code be amended to stipulate that marriage between minors under 18 years of age is prohibited and may not be authorized under any circumstances.

89. Marriage between minors is a form of violence against women that is institutionalized through the establishment of exceptions. It allows a female minor to be treated as someone who needs to be in the charge of another person and who lacks capacity to exercise her rights.

[2] The Decision states that the courts must ensure the best interests of the child and seek the opinion of the Counsel General's Office on whether it is legitimate to authorize the marriage; they must provide a socioeconomic report, a psychological study and any other reports that they consider relevant.